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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,762	10/01/2003	Rudy Geens	LEM 0120 PUSA	7910
22045	7590	03/18/2005	EXAMINER TSIDULKO, MARK	
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			ART UNIT 2875	

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/676,762	Applicant(s) GEENS ET AL.	
	Examiner Mark Tsidulko	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/25/2204.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-12 and 15 is/are pending in the application.
- 4a) Of the above claim(s) 8,13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-7,9-12 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>030905</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The submission of a Preliminary amendment filed on 6/25/2004 is acknowledged. At this point claim 9 has been amended, claims 8, 13 and 14 have been withdrawn and the remaining claims left unchanged. Thus, claims 1-7, 9-12 and 15 are at issue in the instant application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Van Lier et al. (US 6,600,256).

Van Lier et al. disclose (Fig.1) a reflector lamp (col.3, line 42) including:

- an outer envelope [1] formed as a reflector with a neck portion [5] at one end and a light transmitting cover [7] at the opposite end, wherein the neck portion has a bottom wall (not indicated by number) at the opposite end of the envelope;
- a base [40] fixed on the neck portion overlying the bottom wall, the reflector, base and neck portion shaped generally rotationally symmetrically around a longitudinal axis;
- a light capsule [30] disposed within the envelope between the lens and the bottom wall;

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- a light transmitting tubular shield [21] within the envelope surrounding the capsule and extending from adjacent the lens to the bottom wall;
- a first (left on Fig. 1) and a second (right on Fig. 1) electrical leads [26] fixed in the base and extending through the bottom wall, the first lead is electrically connected to the end of the capsule adjacent the bottom wall, the second lead is electrically connected to the end of the capsule [30] adjacent the lens, these leads are supporting the capsule within the shield [21] and shield is positioned adjacent the lens [7].

Allowable Subject Matter

Claims 2-7, 9, 10-12, 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to Claim 2 the prior art of record fails to show a reflector lamp wherein a shield is open at the end adjacent the lens and a second lead extends through the open end of the shield.

Referring to Claim 3 the prior art of record fails to show a reflector lamp wherein the bottom wall is provided with a pair of through apertures for receiving the leads coming from the base with one aperture opening within the shield and the other aperture opening outside the shield toward the lens.

Claims 4-7, 9 and 15 are objected as claims depended on claim 3.

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Referring to Claim 10 the prior art of record fails to show a reflector lamp wherein cement is provided between the bottom wall of the neck portion and the adjacent end of the capsule and between the adjacent end of the shield and interior of the neck portion.

Referring to Claims 11, 12 the prior art of record fails to show a reflector lamp wherein a glass solder or sodium silicate surrounds the leads where they enter the light capsule.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

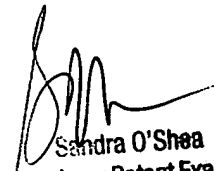
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M.T.

March 9, 2005



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800